



**INFO
PACK
No. 7**

SHIRE OF BOYUP BROOK

INFORMATION FOR PROSPECTIVE BUILDERS

**October 2017
Version 6**

1 APPLICATION FOR BUILDING PERMIT

1.1 General

All new buildings including residences, sheds, garages and swimming pools are subject to Building Permit application. Additions and renovations involving structural alterations also require a building permit. This applies to all areas of the Shire regardless of the zoning. If you are in doubt inquire at the Shire office.

All applicants must complete a building permit application form, in full and accurately. An applicant may submit either:

- A “Certified” application (form BA1), where the plans and documents have been pre-certified by an independent (private) Building Surveyor, or
- An “Uncertified” application (form BA2), where the Shire Building Surveyor will certify the documents, much in the way that has occurred in the past.

1.2 Planning

At the beginning of the process of examining plans and other documents for the building approval, the proposal must first be cleared as complying with the Shire of Boyup Brook Local Planning Scheme No.2. A single dwelling and ancillary non-habitable buildings are generally "permitted" in all zones. Unless the proposal departs from the requirements of the Scheme/and/or the Residential Design Codes (e.g. reduced setbacks), separate development approval is not required. However, if the proposal does not comply with the Scheme and/or the Residential Design Codes, separate development approval must be obtained before a Building Permit can be issued.

1.3 Building Permit Fees

Applicable fees are calculated from the estimated **value** (not necessarily the cost) of the project (GST inclusive).

The value of construction for the purposes of calculating the building licence fee should be estimated to include the following:

- all goods forming part of the construction work;
- labour;

- all costs associated with design and preparation of plans etc.
- all services (including septic tank installation);
- fees payable;
- overheads; and
- profit

It is Council's policy that Building Permit applications be scrutinised in terms of estimated value of the proposed construction in accordance the *Building Regulations 2012*. Council's Building Surveyor is authorised to set minimum estimated values for various methods of construction to assist in its assessment of applications.

If an applicant does not agree with the estimated value which has been calculated, the applicant may be required to submit such supporting evidence on construction value as considered necessary by the Building Surveyor to enable a revision of the estimated value.

The most common building permit fees are as follows:

- Shire fee for an "Uncertified" application – 0.32% of the estimated value, with a minimum of \$97.70
- Shire fee for a "Certified" application – 0.19% of the estimated value, with a minimum of \$97.70
- Building Services Levy (BSL) – \$61.65 for an estimated value up to \$45,000, and 0.137% where the estimated value is greater
- Construction Training Fund (CTF) – 0.2% of the estimated value for projects above \$20,000 and
- Where the estimated value is below \$20,000, the minimum fees for an application, is \$159.35 (incorporating BSL)
- Septic tank fee - for projects that require wastewater system a standard fee of \$236.00 applies.
- A planning application fee may also apply. Planning up to \$50,000 incurs a \$147.00 fee.

Building Permit and Planning Application Exemption

The following types of construction do not require a Building Permit or a Planning Application unless the property contains a designated heritage place or is located within the Heritage Area. However, you should notify the Shire when undertaking such works because you must still meet ordinary building requirements related to structure, footings and set-backs.

- A freestanding Class 10a building (e.g. garden shed etc.) less than 10m² and 2.4m high.
- A pergola attached to a house and no more than 20m² and 2.4m high.
- A rainwater tank of 5,000 litres or less.
- Renovations, repairs or maintenance that do not change the floor area, that does not affect the structure, that does not change the classification and uses similar materials to those being replaced. There are also other conditions.
- Attachment of photovoltaic or solar panels to the roof of a building.
- Temporary office shed, or toilet to be used by a builder during a construction project.
- Erection of a fence (other than a swimming pool fence). Other conditions apply.
- Erection of a mast or antenna (max 3m high or 2m above a building to which it is attached).
- Retaining wall no more than 0.5m high and not associated with other building work or the protection of a boundary. Other conditions apply.

Discuss with the Shire before proceeding.

Fee Exemption

The payment of building permit fees (Shire component) by sporting, charitable and other community groups may be waived for building works up to the construction value of \$10,000. However, the Building Services levy of \$61.65 will still apply, since this is only collected by the Shire.

Building construction works exceeding \$10,000 will only be considered for exemption by the Council if the works are fully funded by the community group and/or the Shire. Building Services and Construction Training Fund levies may still apply.

Refunds

Where a building project is abandoned and a refund of building permit fee is sought by the holder of the building permit: -

1. 50% of the fees paid will be reimbursed if the claim is made within 12 months of issue of the building permit where no building work has commenced and;
2. No refunds are payable after expiry of 12 months from date of issue of the permit, as the permit is then void.

Duration and Extension to Licences

Building permits are ordinarily issued for a two year period.

Extension of time or renewal of a Building Permit is to be limited to 12 months per extension and a fee of \$97.70 applies.

2 PLANS AND DOCUMENTATION

Every person making a Building Permit application will need to supply the following plans and documentation. Not all items will apply to all applications.

2.1 Building Details

Two complete sets of drawings (to scale not less than 1:100) showing;

- A plan view of every storey
- At least two elevations of the proposed building
- One or more sections, transverse or longitudinal
- The heights of each storey
- Footing details or subfloor structure
- Foundation details such as earthworks, cut and fill and retaining walls where relevant.
- Engineer certification where required
- An energy assessment for habitable buildings (Zone 6)
- Construction of the walls, floors and roofs; and
- Any other information that the Building Surveyor may require, all clearly figured and dimensioned.

2.2 Block Details

A block/site and drainage plan (to scale not less than 1:500) showing:

- Street names, lot number, and title reference to the site with the north point clearly marked,
- The size and shape of the site:
- The exact dimensions and position of proposed new buildings and of any existing building on the site, including distances from the boundaries.

- The relative levels and contours of the site with respect to the street or way adjoining;
- The position and size of any septic tanks and leach drains and existing stormwater drains;

2.3 Specifications

Two copies of specifications or schedule of materials are required describing materials to be used in the construction and, where not indicated in the drawings, the sizes thereof together with all other information not shown on the drawings, which is necessary to show that the building will, if constructed in accordance with the specifications, comply with the provisions of the Building Code of Australia.

2.4 Information relevant to application as per checklist on last page

- Bushfire Attack Level Assessment (for habitable buildings in a bushfire prone area)
- Owner Builder Approval
- Indemnity Insurance Certificate
- Water Corporation Clearance
- Septic Tank Application
- All fees and forms to be lodged with the application.

3 ENGINEERING DETAIL

3.1 Applications involving the construction of concrete footings and slabs will need to be supported by appropriate engineering detail.

The required detail shall include:

- Site classification as per Australian Standard 2870
- Selection of appropriate design from AS2870 or alternative design certified to comply with the provisions of the Building Code of Australia
- Drainage requirements (ie., cut off and/or sub soil drainage) to maintain footing performance.

3.2 Supporting engineering detail may also be required for buildings constructed of rammed earth, mud brick, stone walls or similar materials.

3.3 Two storey constructions will require structural engineer's certification prior to approval.

3.4 Beams supporting roof timbers over 4 metre span and steel roof spans of 6.0 metres and more will require structural engineer's certification.

4 CONSTRUCTION TRAINING FUND(CTF) LEVY

Should the estimated cost of construction exceed \$20,000 a completed a Construction Training Fund (CTF) levy payment form must accompany all applications.

Note: The levy payment equates to 0.2% of the value of construction work.

5 BUILDING PERMIT - KERB DEPOSIT

It is the Council policy to require recipients of a building permit to lodge a bond (in-town projects) to cover any likely damage that may be caused to Council's roads, kerbing and or footpaths during the time of construction. The bond is to be lodged prior to the issue of a

building permit.

The Council will establish the amount of bond and include the same in its annual schedule of fees and charges. The amount of the bond will be reviewed annually as part of the budget process.

6 OWNER BUILDER REQUIREMENTS

The *Building Services (Registration) Act 2011* requires that any construction work exceeding \$20,000 in value must be carried out by a Registered Builder.

Land owners wishing to undertake their own building work must apply to the WA Building Commission (WABC), if the proposed value of construction exceeds \$20,000. A fee is to be lodged with the application.

Owner Builder approval can be obtained for the construction of:

- A detached house;
- A class 10 building (e.g. shed or similar)
- A small commercial building.

After WABC approval has been obtained, the Owner Builder must also obtain a building permit from the Shire of Boyup Brook.

Further information can be obtained from the Building Commission website on www.buildingcommission.wa.gov.au

7 HOME INDEMNITY INSURANCE

The Home Building Contracts Act 1991 require registered builders to take out indemnity insurance before they obtain a building permit to perform **residential work over \$20,000**.

7.1 Builders

Builders who carry out residential building work for another person under a residential building contract will have to take out indemnity insurance against loss of deposit, failure to complete the building work and failure to rectify faulty or unsatisfactory workmanship during the six year insurance period following practical completion.

7.2 Owner Builders

An owner builder who obtains Building Permit from a local government authority and then decides to sell the residence within seven years of obtaining that licence, will be required to take out indemnity insurance to cover subsequent owners against failure to rectify faulty or unsatisfactory workmanship for the balance of the seven year period, from the date of obtaining the licence.

8 WASTEWATER DISPOSAL

Septic Tank / Leach Drain Installation

Should the proposed building works involve the installation of septic tanks and leach drains an "Application to Construct or Install an Apparatus for the Treatment of Sewage" form must be completed and submitted to the Shire with the Building Permit application.

Refer to Info-Pack No. 2 for further details.

9 BUILDING STORMWATER DRAINAGE

Every owner of a building whether on residential, commercial, industrial, special rural or rural zoned land is responsible for ensuring that adequate guttering and down pipes are provided to carry the stormwater from an "average" rain storm, and dispose of the storm water away from the foundations of all building on the property, or buildings on adjoining property preferably onto a road way (with approval from the Manager, Works and Services) then flow through the road stormwater/drain water drainage system.

10 DEPARTMENT OF FIRE & EMERGENCY SERVICES (DFES)

The *Building Regulations, 2012* require that certain applications for Building Permit, for building Classes 2 – 9 (not houses, sheds etc.) to be submitted to DFES to ensure compliance with the fire safety provisions of the Building Code of Australia.

11 TOWN PLANNING APPROVAL

The Boyup Brook Town Planning Scheme #2 specifies allowable development criteria such as:

- i) permitted land/building uses
- ii) building setbacks etc.

Depending on the type of development, planning approval may need to be granted by the Council. While this is not usually required for simple residential construction, it may apply to commercial or industrial developments.

12 POLICY PROVISIONS

In addition to legislative provisions, Council has adopted policies that relate to health, building and planning matters, which may carry additional requirements:

Council Policies related to the issue of a Building Permit are:

- (a) Building Permit Fees
- (b) Building Permit – Kerb Deposits
- (c) Buildings – Set-out by Licensed Surveyor
- (d) Building Application – Land without Legal Access
- (e) Building Approvals – Variations of “R” Codes
- (f) Building Stormwater Drainage
- (g) Resited Transportable Residences (see Info-pack No.13)
- (h) Building with Bush Timber
- (i) Building Materials Standards in Industrial and Light Industrial Areas
- (j) Outbuildings (see Info-pack No.6)
- (k) Aged Accommodation (Granny Flats) – Special Rural Zone
- (l) Temporary Accommodation – Owner Builder (see Info-pack No.10)

Policy provisions can be discussed with the Environmental Health/Building Officer.

12 (c) Buildings – Set-out by Licensed Surveyor

It is Council's policy that the following condition be imposed on all building licences Issued for all developments excluding single residential buildings, outbuildings, etc. That is, the condition is to be imposed on duplexes, group residential, commercial, industrial and the like.

All buildings, excluding single residential buildings, outbuildings, etc, are to be set out by a licensed surveyor. The set out is not to occur unless the boundaries of the lot have been re-established by a licensed surveyor who confirms that the survey pegs determining the lot boundaries are correctly positioned.

12 (d) Building Application – Land without Legal Access

Should the Building Surveyor become aware that legal access to the land which is subject of a Building Permit application is in question, the applicant is to be advised that:

- as far as the Council is aware, no legal access to the land exists;
- to seek legal opinion on his position regarding continued access to the land, prior to commencement of building operations; and
- the Shire is under no legal obligation to provide legal access to the land at present or any time in the future.

12 (e) Building Approvals – Variations of “R” Codes

Standard Set-backs for Single Storey Residences

- Residual/Urban-
 - Walls without major opening < 9 Metres 1.0m (side only)
 - Walls without major openings > 9 metres 1.5m (side only)
 - Walls with major openings 1.5m (side only)
- Special Rural Various
- Rural 10m (any boundary)
- The front and rear setbacks for a one storey dwelling in a residential/urban zone is 6.0 metres.

Standard Corner Lot Set-backs – Commercial and Industrial

These are set under the Town Planning Scheme No 2 as follows

ZONE	MINI MUM LOT SIZE	MINIMUM SETBACKS	MINIMUM FRONTAGE			REMARKS
			Front	Side	Rear	
Commercial		5m	Nil	Nil	Nil	Setbacks as per Building Code of Australia
Light Industrial	1,000 m ²	20m	5	3	3	Fencing and landscaping as per Council's requirement
General Industrial	2,000 m ²	20m	11	10	5	Fencing and Landscaping as per Council's requirements

Council approval is required to relax the setback standards.

Where planning application is made in relation to exemption or significant variation from any provisions of the “R” Codes, the applicants will be required to provide proof that affected neighbours have been notified in writing of intended developments, thereby giving them opportunity to submit comments to Council.

12 (f) Building with Bush Timber

Should a building application be submitted for a dwelling whereby the applicant wishes to utilise ‘bush timber’ for any external uprights on the building then that timber shall comply with the following :-

- Timber may only be selected from the following:
 - White Gum (Wandoo)
 - Jarrah
 - Karri
- All timber upon erection is to have no more than 0.5 degree variance from the straight perpendicular which is equivalent to 20 mm distance from the perpendicular at 2400 mm above ground level.
- All timber is to be of uniform size and length.
- All bark shall be removed and branches shall be cut off at the main trunk to render a smooth surface.
- Timber shall be sealed to render a finished surface which is impervious (to water).

Enquiries may be made by phone on 9765 1200, by visiting the Shire office between 8.30am and 4.30pm, or by contacting us via email at shire@boyupbrook.wa.gov.au

DISCLAIMER

This information sheet is a guide only. Verification with original local laws, Acts, Planning Schemes, and other relevant documents is recommended for detailed references. The Shire of Boyup Brook accepts no responsibility for errors or omissions.

**BUILDING APPLICATION
CHECKLIST**

Please use the following checklist when submitting your application for Building Permit application. Please note that some of the items on the list may not apply to your specific proposal. If you have any queries regarding what information is required, please refer to the appropriate section in the Guide or contact Building Surveyor.

INFORMATION REQUIRED

- Planning Approval Application - (letter and plans)
- Building Permit Application form (completed in-full and accurately)
 - Uncertified application (where Council's Building Surveyor will assess); or
 - Certified application (where a private Building Surveyor is used)
- Site Plan - (must show boundary setbacks), with distances from existing buildings and proximity of septic tank system, if applicable.
- Building Plans – plan view, elevations, sectional drawings, footing details (must include supporting engineer certification, where required)
- Foundation details such as earthworks, cut and fill and retaining walls where relevant
- Specifications or Schedule of Materials (2 copies).
- CTF Levy - completed form and fee.

- Home Indemnity Insurance Certificate (registered builders only).
- Owner Builder approval from Building Commission
- Reference of plans to Water Corporation and DFES (for Class 2 - 9 buildings)
- Any plans or details which have been certified by a structural engineer
- Septic System Application - (include form, plans and fees)
- Energy Assessment for habitable buildings (by an accredited assessor)
- Bushfire Attack Level (BAL) Report by an accredited assessor.